

Message Text

UNCLASSIFIED

PAGE 01 VIENNA 01544 220838Z

10

ACTION L-02

INFO OCT-01 EUR-12 IO-10 ISO-00 OIC-02 AF-06 ARA-10 EA-10

NEA-09 CIAE-00 DODE-00 PM-03 H-02 INR-07 NSAE-00

NSC-05 PA-02 PRS-01 SP-02 SS-15 USIA-15 SAM-01 /115 W

----- 009748

R 211811Z FEB 75

FM AMEMBASSY VIENNA

TO SECSTATE WASHDC 4878

INFO USMISSION USUN NEW YORK

USMISSION GENEVA

UNCLAS VIENNA 1544

EO 11652: N/A

TAGS: PORG, AORG, PFOR, UN, AU

SUBJ: ARTICLES ADOPTED BY COMMITTEE OF THE WHOLE DURING
PERIOD FEB. 13-18: UN 1975 RSIO CONFERENCE, VIENNA

TEXT OF ARTICLES ADOPTED BY COMMITTEE OF THE WHOLE FROM
FEBRUARY 13 TO 18 AND REFERRED TO DRAFTING COMMITTEE ARE
GIVEN BELOW:

ARTICLE 9. (APPOINTMENT OF THE MEMBERS OF THE MISSION)

COMMENT: ILC TEXT ADOPTED. END COMMENT.

ARTICLE 16. (CHARGE D'AFFAIRES AD INTERIM)

BEGIN QUOTE:

"IF THE POST OF HEAD OF MISSION IS VACANT, OR IF THE HEAD OF
MISSION IS UNABLE TO PERFORM HIS FUNCTIONS, THE SENDING STATE
MAY APPOINT AN ACTING HEAD OF MISSION WHOSE NAME SHALL BE
NOTIFIED TO THE HOST STATE AND THE ORGANIZATION." END QUOTE.

ARTICLE 17 (PRECEDENCE)

COMMENT: ILC TEXT ADOPTED. END COMMENT.

ARTICLE 18 (OFFICE OF THE MISSION)

BEGIN QUOTE: MISSION SHOULD BE ESTABLISHED AT THE ORGANIZATION'S

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 VIENNA 01544 220838Z

HEADQUARTERS. THE SENDING STATE MAY ESTABLISH, WITH THE PRIOR

CONSENT OF THE HOST STATE, A MISSION OR AN OFFICE OF A MISSION IN A LOCALITY OTHER THAN THE SEAT OF THE ORGANIZATION IN WHICH AN OFFICE OF THE ORGANIZATION IS ESTABLISHED IF THE RULES OF THE ORGANIZATION SO ADMIT. END QUOTE.

ARTICLE 19. (USE OF FLAG AND EMBLEM)

BEGIN QUOTE:

1. THE MISSION SHALL HAVE THE RIGHT TO USE THE FLAG AND EMBLEM OF THE SENDING STATE ON ITS PREMISES. THE HEAD OF MISSION SHALL HAVE THE SAME RIGHT AS REGARDS HIS RESIDENCE AND MEANS OF TRANSPORT.
2. IN THE EXERCISE OF THE RIGHT ACCORDED BY THIS ARTICLE REGARDS SHALL BE HAD TO THE LAWS, REGULATIONS AND USAGES OF THE HOST STATE. END QUOTE.

ARTICLE 20. (GENERAL FACILITIES)

BEGIN QUOTE:

1. THE HOST STATE SHALL ACCORD TO THE MISSION ALL THE FACILITIES REQUIRED FOR THE PERFORMANCE OF ITS FUNCTIONS.
2. THE ORGANIZATION SHALL ASSIST THE MISSION IN OBTAINING THOSE FACILITIES AND SHALL ACCORD TO THE MISSION SUCH FACILITIES AS LIE WITHIN ITS OWN COMPETENCE. END QUOTE.

ARTICLE 21. (PREMISES AND ACCOMMODATION)

BEGIN QUOTE:

1. THE HOST STATE AND THE ORGANIZATION SHALL ASSIST THE SENDING STATE IN OBTAINING PREMISES NECESSARY FOR THE MISSION ON THE TERRITORY OF THE HOST STATE. THE HOST STATE SHALL FACILITATE, WHERE NECESSARY AND IN ACCORDANCE WITH ITS LAWS, THE ACQUISITION OF SUCH PREMISES.
2. THE HOST STATE AND THE ORGANIZATION SHALL ALSO, WHERE NECESSARY, ASSIST THE MISSION IN OBTAINING SUITABLE ACCOMMODATION AT EQUITABLE CONDITIONS FOR ITS MEMBERS. END QUOTE.

ARTICLE -22 (ASSISTANCE BY THE ORGANIZATION IN RESPECT OF PRIVILEGES AND IMMUNITIES)

BEGIN QUOTE:

1. THE ORGANIZATION SHALL, WHERE NECESSARY, ASSIST THE SENDING STATE, THE MISSION AND THE MEMBERS OF THE MISSION IN SECURING THE ENJOYMENT OF THE PRIVILEGES AND IMMUNITIES

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 VIENNA 01544 220838Z

PROVIDED FOR BY THE PRESENT ARTICLES.

2. THE ORGANIZATION SHALL, WHERE NECESSARY, ASSIST THE HOST STATE IN SECURING THE DISCHARGE OF OBLIGATIONS OF THE SENDING STATE CONCERNING PRIVILEGES AND IMMUNITIES UNDER THE PRESENT CONVENTION". END QUOTE.

ARTICLE 23. (INVIOABILITY OF THE PREMISES)

BEGIN QUOTE:

1. THE PREMISES OF THE MISSION SHALL BE INVOLABLE. THE AGENTS OF THE HOST STATE MAY NOT ENTER THEM, EXCEPT WITH THE CONSENT OF THE HEAD OF MISSION. THE CONSENT OF THE HEAD OF MISSION MAY, HOWEVER, BE ASSUMED IN CASE OF FIRE OR OTHER DISASTER SERIOUSLY ENDANGERING PUBLIC SAFETY AND REQUIRING PROMPT PROTECTIVE ACTION.
2. THE HOST STATE IS UNDER A SPECIAL DUTY TO TAKE ALL APPROPRIATE STEPS TO PROTECT THE PREMISES OF THE MISSION AGAINST ANY INTRUSION OR DAMAGE AND TO PREVENT ANY DISTURBANCE OF THE PEACE OF THE MISSION OR IMPAIRMENT OF ITS DIGNITY.
3. THE PREMISES OF THE MISSION, THEIR FURNISHINGS AND OTHER PROPERTY THEREON AND THE MEANS OF TRANSPORT OF THE MISSION SHALL BE IMMUNE FROM SEARCH, REQUISITION, ATTACHMENT OR EXECUTION. END QUOTE.

ARTICLE 24. (EXEMPTION OF THE PREMISES FROM TAXATION)

COMMENT: ILC TEXT ADOPTED. END COMMENT.

ARTICLE 25. (INVIOABILITY OF ARCHIVES AND DOCUMENTS)

COMMENT: ILC TEXT ADOPTED. END COMMENT.

ARTICLE 26. (FREEDOM OF MOVEMENT)

COMMENT: ILC TEXT ADOPTED. END COMMENT.

ARTICLE 27. (FREEDOM OF COMMUNICATIONS)

ILC TEXT ADOPTED EXCEPT FOR PARA THREE, THE KUWAITI AMENDMENT TO WHICH WAS ADOPTED AND WHICH READS AS FOLLOWS:
BEGIN QUOTE:

3. (A) THE BAG OF THE MISSION SHALL NOT BE OPENED OR DETAINED. SHOULD THE HOST STATE HAVE REASON TO BELIEVE THAT A BAG CONTAINS ARTICLES OTHER THAN THOSE INTENDED FOR THE OFFICIAL USE OF THE MISSION, IT MAY REQUEST THAT SUCH BAG BE OPENED
- UNCLASSIFIED

UNCLASSIFIED

PAGE 04 VIENNA 01544 220838Z

FOR INSPECTION IN THE PRESENCE OF A REPRESENTATIVE OF THE MISSION;

- (B) IF THE MISSION REFUSES TO COMPLY WITH SUCH A REQUEST SUCH BAG WILL BE RETURNED TO THE PLACE OF ORIGIN. END QUOTE.

ARTICLE 28. (PERSONAL INVIOABILITY)

BEGIN QUOTE: THE PERSONS OF THE HEAD OF MISSION AND OF THE MEMBERS OF THE DIPLOMATIC STAFF OF THE MISSION SHALL BE INVOLABLE. THEY SHALL NOT BE LIABLE TO ANY FORM OF ARREST OR DETENTION. THE HOST STATE SHALL TREAT THEM WITH DUE RESPECT AND SHALL TAKE ALL APPROPRIATE STEPS TO PREVENT, PROSECUTE AND PUNISH ANY ATTACK ON THEIR PERSONS, FREEDOM OR DIGNITY.

ARTICLE 29. (INVIOABILITY OF RESIDENCE AND PROPERTY)

BEGIN QUOTE:

1. (A) THE PRIVATE RESIDENCE OF THE HEAD OF MISSION AND OF THE MEMBERS OF THE DIPLOMATIC STAFF OF THE MISSION SHALL ENJOY THE SAME INVIOABILITY AND PROTECTION AS THE PREMISES OF THE MISSION.

(B) IN THE CASE OF AN ATTACK ON THE PREMISES OF THE MISSION, THE PRIVATE RESIDENCE OF THE HEAD OF MISSION OR THE RESIDENCE OF A MEMBER OF THE DIPLOMATIC STAFF OF THE MISSION, THE HOST STATE SHALL TAKE APPROPRIATE STEPS TO PROSECUTE AND PUNISH THE PERSONS GUILTY OF COMMITTING THE ATTACK.

2. THEIR PAPERS, CORRESPONDENCE AND, EXCEPT AS PROVIDED IN PARAGRAPH 3 OF ARTICLE 30, THEIR PROPERTY, SHALL LIKEWISE ENJOY INVIOABILITY. END QUOTE

ARTICLE 30. (IMMUNITY FROM JURISDICTION)

ILC TEXT ADOPTED EXCEPT FOR SUB-PARAGRAPH 1(D), THE UK AMENDMENT AND PERUVIAN SUB-AMENDMENT WHICH WERE ADOPTED AND WHICH READS AS FOLLOWS:

BEGIN QUOTE:

1. (D) AN ACTION FOR DAMAGES ARISING FROM AN ACCIDENT CAUSED BY A VEHICLE, VESSEL OR AIRCRAFT USED OR OWNED BY THE PERSON IN QUESTION. END QUOTE.HUMES

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEETING REPORTS, RSIO CONFERENCE, RELATIONS WITH INTERNATIONAL ORGS
Control Number: n/a
Copy: SINGLE
Draft Date: 21 FEB 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975VIENNA01544
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750063-1003
From: VIENNA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750221/aaaaaszv.tel
Line Count: 192
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: ElyME
Review Comment: n/a
Review Content Flags:
Review Date: 02 DEC 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <02 DEC 2003 by ThomasVJ>; APPROVED <30 DEC 2003 by ElyME>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ARTICLES ADOPTED BY COMMITTEE OF THE WHOLE DURING PERIOD FEB. 13-18: UN 1975 RSIO CONFERENCE, VIENNA
TAGS: PORG, AORG, PFOR, AU, UN
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006